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Jek-Thoon Tan

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LADAS & PARRY LLP
26 WEST 61ST STREET
NEW YORK, NY 10023

EXAMINER

CARLOS, ALVIN LEABRES

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,916	Applicant(s) TAN ET AL.	
	Examiner ALVIN L. CARLOS	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/31/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claim 55, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).
3. Claim 7 recites the limitation "scrolling information" in page 3 line 1. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 8 recites the limitation "display interval information" in page 3 line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-19, 23-26, 28, 30-40, 44-47, 49, 51-53, 55 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsai 5947746.

Re claim 1, Tsai teaches a method of encoding Karaoke applications comprising: encoding a background video signal for use with one or more Karaoke songs (column 1

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lines 7-10), encoding Karaoke songs (column 1 lines 50-59), encoding Karaoke song texts associated with songs to be displayed in a karaoke text display (column 3 lines 59-63), and encoding visual contents for display outside the Karaoke text display during playing of said one or more Karaoke songs, as private section data (column 3 lines 59-67 and column 4 lines 1-10).

Re claim 2, Tsai teaches the visual contents are encoded for display at least during non-singing periods of said songs (column 1 lines 7-10).

Re claim 3, Tsai teaches the visual contents are encoded for display over area in which the song text display is displayed during said non-singing periods (see figures 6a-9, column 6 lines 55-67 and column 7 lines 1-6).

Re claim 4, Tsai teaches the visual contents are encoded for display over an area outside the area in which the song text displayed (see figures 6a-9, column 7 lines 45-64).

Re claim 5, Tsai teaches the Karaoke song texts are encoded as pre-defined text code (column 9 lines 49-57).

Re claim 6, Tsai teaches the song texts are encoded into said private section data (column 10 lines 14-23).

Re claim 7, Tsai teaches the scrolling information associated with said songs are encoded with said song texts (column 11 lines 10-18).

Re claim 8, Tsai teaches the display interval information and scrolling information for singing tempo are encoded as time codes (column 2 lines 25-34).

Re claim 9, Tsai teaches the song texts are encoded in a song text display (column 3 lines 59-63).

Re claim 10, Tsai teaches the visual contents are relevant to said songs (column 9 lines 49-58).

Re claim 11, Tsai teaches the visual contents comprising textual contents (column 9 lines 50-53).

Re claim 12, Tsai teaches the visual contents comprising program guide information (column 2 lines 6-10).

Re claim 13, Tsai teaches the visual contents comprising interactive contents (see figures 6a-7b, column 7 lines 7-11).

Re claim 14, Tsai teaches defining nodal descriptions for said interactive contents for generating visual displays arranged in menu tree structures (column 6 lines 55-67 and column 7 lines 1-6), and specifying actions that can be activated by the user by displayed interactive contents (column 7 lines 7-19).

Re claim 15, Tsai teaches defining text-base descriptions of visual contents and integrating text-base descriptions into private section data (column 7 lines 20-29).

Re claim 16, Tsai teaches specifying display attributes of text-base descriptions and integrating display attributes into private section data (column 7 lines 30-44).

Re claim 17, Tsai teaches specifying the time intervals for display of text-base descriptions and integrating time intervals into private section data (column 8 lines 56-67 and column 9 lines 1-11).

Re claim 18, Tsai teaches specifying the sequence and timing for display of text-base description and integrating sequence and timing for display into private section data (column 9 lines 12-26).

Re claim 19, Tsai teaches specifying display positions of visual contents and integrating display positions into private section data (see figures 6a-7b, column 8 lines 12-55).

Re claim 23, Tsai teaches the setting a display status determines whether some or all of the visual contents can be prevented from being displayed during playback (column 10 lines 45-49).

Re claim 24, Tsai teaches the display status is set with a flag (see figures 6a-7b, column 5 lines 4-19).

Re claim 25, Tsai teaches setting a distribution status determines whether the encoded application or at least part thereof is for licensed distribution (see figures 6a-6b, column 10 lines 5-23).

Re claim 26, Tsai teaches the distribution status is set with a flag (column 10 lines 9-23).

Re claim 28, Tsai teaches the step of storing the encoded visual contents (column 1 lines 50-65).

Re claim 30, Tsai teaches the background video signal is encoded to form a video elementary stream and said one or more Karaoke songs are encoded to form audio elementary streams (column 1 lines 60-67 and column 2 lines 1-19).

Re claim 31, Tsai teaches multiplexing video elementary stream, audio elementary streams and private section data in a transport stream for broadcast (column 3 lines 43-67 and column 4 lines 1-10).

Re claim 32, Tsai teaches the step of broadcasting said encoded applications (column 3 lines 43-57).

Re claim 33, Tsai teaches the broadcasting step comprises broadcasting the encoded applications as a television signal (column 1 lines 13-21).

Re claim 34, Tsai teaches a method of providing audio and video Karaoke signals comprising the steps of: receiving Karaoke applications encoded (column 1 lines 60-65), decoding said encoded background video signal (column 2 lines 35-40), decoding said encoded one or more Karaoke songs to provide an audio signal (column 2 lines 40-44), decoding the encoded one or more Karaoke song texts associated with the one or more decoded songs (column 2 lines 44-49), decoding the encoded visual contents (column 2 lines 49-51), and combining said background video signal, Karaoke song texts and visual contents to form a video signal, with the Karaoke song texts in a karaoke text display and said visual contents outside the karaoke text display (column 3 lines 59-67 and column 4 lines 1-10).

Re claim 35, Tsai teaches an apparatus for supplying Karaoke applications comprising: video encoding means for encoding a background video signal for use with multiple Karaoke songs (column 1 lines 50-59), song encoding means for encoding Karaoke songs (column 5 lines 66-67 and column 6 lines 1-12), text encoding means for encoding Karaoke song texts associated with said songs, for display in a karaoke text

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display (column 6 lines 21-32), and visual contents encoding means for encoding visual contents for display outside the Karaoke text display during playing of said Karaoke songs, as private section data (see figures 6a-7b, column 6 lines 67 and column 7 lines 1-6).

Re claim 36, Tsai teaches the text encoding means is further operable to encode scrolling information associated with songs and text displays (column 10 lines 14-23).

Re claim 37, Tsai teaches the text encoding means is operable to encode song texts into private section data (see figures 6a-9, column 4 lines 20-30).

Re claim 38, Tsai teaches the visual contents comprising textual content (column 4 lines 20-21).

Re claim 39, Tsai teaches the visual contents comprising interactive contents (column 4 lines 40-52).

Re claim 40, Tsai teaches the nodal description defining means for defining nodal descriptions for said interactive contents for generating visual displays arranged in menu tree structures (column 4 lines 54-67 and column 5 lines 1-3).

Re claim 44, Tsai teaches the display status setting means for setting a display status determines whether some or all of the visual contents can be prevented from being displayed during playback (column 10 lines 45-49).

Re claim 45, Tsai teaches the display status is set with a flag (see figures 6a-7b, column 5 lines 4-19).

Re claim 46, Tsai teaches the distribution status setting means for setting a distribution status determines whether the encoded application or at least part thereof is for licensed distribution (column 10 lines 5-23).

Re claim 47, Tsai teaches the distribution status is set with a flag (column 10 lines 9-23).

Re claim 49, Tsai teaches the storing means for storing the encoded visual contents (column 1 lines 60-65).

Re claim 51, Tsai teaches multiplexing means for multiplexing the encoded background video signal, the encoded karaoke songs, the encoded karaoke song texts and the encoded visual contents into a transport stream for broadcast (column 3 lines 43-67 column 4 lines 1-10).

Re claim 52, Tsai teaches an apparatus operable according to the method of encoding Karaoke applications comprising encoding a background video signal for use with Karaoke songs (column 6 lines 21-25), encoding Karaoke songs (column 1 lines 50-59), encoding Karaoke song texts associated with songs, to be displayed in a karaoke text display (column 3 lines 59-63), and encoding visual contents for display outside the Karaoke text display during playing of Karaoke songs, as private section data (column 3 lines 59-67 and column 4 lines 1-10).

Re claim 53, Tsai teaches an apparatus for providing audio and video Karaoke signals comprising receiving means for receiving Karaoke applications encoded according to the method of claim 1 (column 2 lines 35-37), video decoding means for decoding the encoded background video signal (column 2 lines 40-44), song decoding

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means for decoding the encoded Karaoke songs to provide an audio signal (column 2 lines 44-49), text decoding means for decoding encoded Karaoke song texts associated with decoded songs (column 2 lines 49-51), visual content decoding means for decoding the encoded visual contents (column 6 lines 39-42), and combining means for combining said background video signal, song texts and said visual contents to form a video signal such that the song texts are displayed in a karaoke text display and said visual contents are displayed in a region outside the karaoke text display during some or all of the songs (column 1 lines 60-67 and column 2 lines 1-19).

Re claim 55, Tsai teaches a method of encoding Karaoke applications or the like, comprising encoding a background video signal for use with Karaoke songs (column 6 lines 21-25), encoding texts to be displayed in a karaoke text display (column 3 lines 59-63), and encoding visual contents for display outside the Karaoke text display, as private section data (column 3 lines 59-67 and column 4 lines 1-10).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 20-22, 27, 29, 41-43, 48, 50, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai 5947746 in view of Tsurumi 5824934.

Re claim 20, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the step of encoding visual contents further comprises setting an edit status, which determines whether the visual contents may be edited (column 1 lines 65-67 and column 2 lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 21, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status is set by a first status of user and is applicable to a second status of user (column 6 lines 10-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 22, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi:
the edit status is set with a flag (column 4 lines 60-67 and column 5 lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 27, Tsai teaches the invention as discussed above. In addition, Tsai teaches the display status and distribution status are set by the same flag (column 10 lines 50-67).

However, Tsai fails to teach the following claim limitations as taught by Tsurumi:
the edit status is set with a flag (column 4 lines 60-67 and column 5 lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 29, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status is set by a first status of user and is applicable to a second status of user (column 4 lines 60-67 and column 5 lines 1-20), retrieving stored encoded visual contents (column 4 lines 64-67 and column 5 lines 1-4), editing the retrieved visual contents if allowed by the edit status (column 5 lines 4-10), and encoding the edited visual contents as private section data (column 5 lines 11-14), wherein the editing step is conducted by a user of said second status (column 5 lines 21-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 41, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: edit status setting means for setting an edit status, which determines whether the visual contents may be edited (column 5 lines 21-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information

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files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 42, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status setting means is operable by a first status of user for setting an edit status applicable to a second status of user (column 6 lines 10-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 43, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status is set with a flag (column 4 lines 60-67 and column 5 lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area,

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and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 48, Tsai teaches the invention as discussed above. In addition, Tsai teaches the display status and distribution status are set by the same flag (column 10 lines 50-67).

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status is set with a flag (column 4 lines 60-67 and column 5 lines 1-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 50, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: the edit status setting means is operable by a first status of user for setting an edit status applicable to a second status of user further comprising editing means for use by a user of said second status (column 4 lines 60-67 and column 5 lines 1-20), retrieving stored encoded visual contents (column 4 lines 64-67 and column 5 lines 1-4), editing

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the retrieved visual contents if allowed by the edit status (column 5 lines 4-14), and encoding the edited visual contents as private section data (column 6 lines 10-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Re claim 54, Tsai teaches the invention as discussed above.

However, Tsai fails to teach the following claim limitations as taught by Tsurumi: An apparatus for use in editing visual contents for display during Karaoke singing sessions comprising: means for retrieving a stored karaoke text elementary stream (column 4 lines 64-67 and column 5 lines 1-4), means for determining an edit permission status within the retrieved karaoke text elementary stream (column 5 lines 4-14), means for editing said visual contents if permitted by the edit permission status to provide new visual content (column 5 lines 59-67 and column 6 lines 1-9), means for forwarding the edited visual contents for storage (column 5 lines 37-53), and means for setting the edit permission status of the newly provided visual content (column 6 lines 10-26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tsai's invention in view of Tsurumi in order to provide a host

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apparatus for a communication karaoke apparatus in which downloaded information files are displayed during an intermission between karaoke performances for each area, and their versions can be updated, and furthermore to a method of editing a download file, thereby eliminating the waste communication as taught by Tsurumi (column 1 lines 36-44).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as per the attached Notice of References Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN L. CARLOS whose telephone number is (571)270-3077. The examiner can normally be reached on 7:30am-5:00pm EST Mon-Fri (alternate Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571)272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alvin L Carlos/

Examiner, Art Unit 3714

02/15/2008

/XUAN M. THAI/

Supervisory Patent Examiner, Art Unit 3714